

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number
H.L.C. 02/02/05 Item 5.a.

File Number
C04-067 / H04-037

Application Type
Conventional Rezoning / Site Development Permit

Council District SNI
3 St. James Square

Planning Area
Central

Assessor's Parcel Number(s)
467-01-003

STAFF REPORT

PROJECT DESCRIPTION

Completed by: Lee Butler

Location: Northwest corner of North 2nd Street and Devine Street

Gross Acreage: 0.09 Net Acreage: 0.09 Net Density: 44.4 DU/AC

Existing Zoning: CG Commercial General Existing Uses: Vacant / paved, illegal surface parking lot

Proposed Zoning: DC Downtown Primary Commercial Proposed Use: Two single-family attached residential units

GENERAL PLAN

Completed by: FLB

Existing Land Use/Transportation Diagram Designations
Residential Support for the Core (25+ dwelling units per acre)

Project Conformance:
☒ Yes ☐ No
☒ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: FLB

North:	Commercial	CG Commercial General
East:	Commercial	CG Commercial General
South:	Parking Lot	DC Downtown Primary Commercial
West:	Commercial	CG Commercial General

ENVIRONMENTAL STATUS

Completed by: FLB

☒ Reuse of San Jose 2020 General Plan EIR for proposed rezoning
☐ Negative Declaration circulated on
☐ Negative Declaration adopted on

☒ Exempt for proposed Site Development Permit
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: FLB

Annexation Title: Original City

Date: 3/27/1850

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☐ Recommend Approval
☒ Recommend Approval with Conditions
☐ Recommend Denial

Date _____

Approved by: _____

CURRENT OWNER

Walter Harding
502 S. 2nd St.
San Jose, CA 95112

DEVELOPER / ARCHITECT

Daryl Fazekas
80 SW Main St.
Los Gatos, CA 95030

PUBLIC AGENCY COMMENTS RECEIVED

Completed by: FLB

Public Works, Fire Dept., VTA, Synopsis of the December 15th HLC Design Review Committee Meeting

Other Departments and Agencies

None

GENERAL CORRESPONDENCE

Letter from Ken Pastrof of Land Analysis Associates (representing the applicant), Letter from Brendan Rawson (potential restaurant tenant of the adjacent Germania building), email from applicant Daryl Fazekas

ANALYSIS AND RECOMMENDATIONS

BACKGROUND

The subject site consists of 0.09 gross acres at the northwest corner of N. 2nd St. and Devine St. and is currently a paved, vacant lot. The property has a CG Commercial General Zoning designation, and the applicant, Daryl Fazekas, has filed a Conventional Rezoning, file no. C04-067, to change the Zoning designation to DC Downtown Primary Commercial. The applicant has filed an associated Site Development Permit, file no. H04-037, that proposes to construct four single-family attached residences at the site. The General Plan designation for the property is Residential Support for the Core (25+ dwelling units per acre). It is expected that the Rezoning will go to the City Council in March and the Site Development Permit will follow.

The site is relatively flat and rectangular in shape with approximately 29 feet of frontage on N. 2nd St. and 138 feet of frontage along Devine St. The site is surrounded by commercial uses to the north, east, and west, and a City of San Jose surface parking lot occupies the property across Devine St. to the south.

HISTORIC RESOURCES DESCRIPTION

The project site itself does not have historic significance, however, the subject site is located adjacent to a City Landmark, the Germania Hall (HL86-38) at 259-261 N. 2nd Street. Germania Hall is significant both for its architecture and its history. Constructed circa 1895, the Queen Anne style hall was the King Conservatory of Music and for seventy years San Jose's gathering place for the German-American community. Photos of the adjacent City Landmark are attached. The site is located outside the St. James Square Historic District, however, portions of the block to the south (Letcher Garage and San Jose First Church of Christ Scientist) are included within the district.

ENVIRONMENTAL REVIEW

Environmental review for the subject project is incomplete at this time, however, staff anticipates that the proposed rezoning will obtain environmental clearance through the issuance of a Reuse of the San Jose 2020 General Plan EIR. For the proposed Site Development Permit, staff anticipates environmental clearance through an exemption.

GENERAL PLAN CONFORMANCE

The current Zoning designation, Commercial General, does not conform to the site's General Plan designation of Residential Support for the Core (25+ du/ac). Per Table 20-270 of the San Jose Municipal Code, neither the DC Downtown Primary Commercial Zoning District nor the Residential Support for the Core General Plan Designation have corresponding conforming General Plan and Zoning designations, respectively. The proposed rezoning conforms to the General Plan in that the DC Downtown Primary Commercial Zoning District permits residential housing that can achieve a density greater than 25 dwelling units per acre. The proposed Site Development Permit conforms to the General Plan designation of Residential Support for the Core (25+ du/ac) in that it proposes residential development at a density of approximately 44 dwelling units per acre.

PROJECT DESCRIPTION

The Site Development Permit currently proposes two separate residential structures at the site, each containing two parking spaces and two residential units. Each structure is proposed to be approximately 34 feet tall with three stories. The current plan has vehicular entry off of Devine Street, with two pedestrian entries off of the interior drive, one pedestrian entry off of Devine St., and one pedestrian entry off of N. 2nd Street. The proposed materials include a stucco finish, composition roof, vinyl windows, and limestone tile accenting. The current plans are attached.

ANALYSIS

While the applicant has revised the original plans to work within the site constraints and in response to concerns regarding compatibility with the adjacent landmark, Staff still has concerns with various aspects of the current proposal. Of primary concern for the Historic Landmarks Commission is compatibility of the project with the adjacent City Landmark in both massing and materials, please see the attached Design Review Committee comments. Drawing on the *Your Old House* design guidelines, the DRC suggested orienting the proposed units to 2nd Street and providing a porch element to define the entry, as the applicant has done. The DRC also commented on the use of materials, massing and attending to roof lines that are compatible with the adjacent landmark as well as working with the design elements of the historic resource to provide contemporary interpretations. Other staff concerns include the provision of private open space areas for the units and the need to evaluate the proposed construction for conformance with fire and building codes with respect to the fire escape routes from the Germania Club.

COMMUNITY OUTREACH

This proposal was brought to the Historic Landmarks Commission Design Review Committee on December 15, 2004. The proposal has been discussed with the owners of the adjacent Germania Club, who also participated in the Design Review Committee meeting. Planning Staff has been available to discuss the proposal with members of the public. Additionally, prior to the HLC public hearing, an electronic version of the staff report was made available online, accessible from the Historic Landmarks Commission agenda, on the Planning Divisions' website.

RECOMMENDATION

Planning staff recommends that the Historic Landmarks Commission make recommendations to the Planning Division, Planning Commission, and City Council regarding the historic preservation issues of the proposed project.

Attachments: Maps
 Photo of Germania Club
 Plan set